



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Is re application of

: **Confirmation No. 8716**

Daiji NAKA et al.

: Docket No. 2001_1797A

Serial No. 10/000,096

: Group Art Unit 1644

Filed December 4, 2001

: Examiner Michail Belyavskiy

SPECIFIC ANTIBODY DIRECTED TO
ACTIVE HEPATOCYTE GROWTH
FACTOR ACTIVATOR AND
METHOD FOR USING THE SAME

DECLARATION OF MICROORGANISM AVAILABILITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Undersigned, attorney of record for the subject application, hereby declares:

That hybridoma clone AHGA-A has been deposited at the National Institute of Advanced Industrial Science and Technology, International Patent Organism Depository, Tsukuba Central 6, 1-1, Higashi 1-Chome, Tsukuba-shi, Ibaraki-ken, 205-8566, Japan on October 19, 2001 under the Budapest Treaty, as accession number FERM BP-7779.

That the depository affords permanence of the deposit and ready accessibility thereto by the public if a patent is granted;

That access to the deposit during the pendency of the above-identified application will be afforded to one determined by the Commissioner to be entitled thereto under;

That all restrictions on the availability of the deposit to the public imposed by depositor will be irrevocably removed upon the granting of the U.S. Patent on the above-identified application;

That each deposit shall be stored by the depository, with all the care necessary to keep it viable and uncontaminated, for a period of at least five years after the most recent request for the furnishing of a sample of the deposit was received by the depository, or for a period of at least 30 years after the date of the deposit, or for the effective life of the U.S. Patent, whichever is longest;

That the Assignee acknowledges its duty to replace any such deposit should the depository be unable to furnish a sample when requested due to the condition of the deposit;

That the undersigned is authorized to execute this agreement on behalf of the Assignee;
and

Undersigned further declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Daiji NAKA et al.

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